

House File 206 - Introduced

HOUSE FILE 206

BY JORGENSEN

A BILL FOR

1 An Act concerning public employee collective bargaining and
2 including applicability provisions.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 20.7, Code 2011, is amended by adding the
2 following new subsection:

3 NEW SUBSECTION. 10. Require a public employee to pay
4 up to thirty percent of the cost of a health insurance plan
5 established pursuant to chapter 509A which the public employer
6 provides for the public employee and other persons covered
7 through the public employee.

8 Sec. 2. Section 20.9, Code 2011, is amended by adding the
9 following new unnumbered paragraph:

10 NEW UNNUMBERED PARAGRAPH. All charges for health insurance
11 plans established pursuant to chapter 509A shall be excluded
12 from the scope of negotiations.

13 Sec. 3. Section 20.22, subsection 7, Code 2011, is amended
14 to read as follows:

15 7. a. The arbitrator shall first determine the ability
16 of the particular public employer to finance the cost of each
17 final offer on each of the impasse items. The arbitrator
18 shall not select a final offer if the arbitrator determines
19 the particular public employer would not be able to finance
20 the cost of the final offer. In making the determination, the
21 arbitrator shall consider all of the following:

22 (1) The interests and welfare of the public, the ability
23 of the public employer to finance economic adjustments without
24 raising taxes and the effect of such adjustments on the normal
25 standard of services.

26 (2) The power of the public employer to appropriate funds
27 for the conduct of its operations.

28 b. After the arbitrator has determined the ability of the
29 public employer to finance the cost of each final offer on
30 each of the impasse items, the arbitrator shall consider, in
31 addition to any other relevant factors, all of the following
32 factors:

33 a- (1) Past collective bargaining contracts between the
34 parties including the bargaining that led up to such contracts.

35 b- (2) Comparison of wages, hours, and conditions of

1 employment of the involved public employees with those of
2 other public and private employees within the midwest, giving
3 preference to comparisons within the state, doing comparable
4 work, giving consideration to factors peculiar to the area and
5 the classifications involved.

6 ~~c. The interests and welfare of the public, the ability of~~
7 ~~the public employer to finance economic adjustments and the~~
8 ~~effect of such adjustments on the normal standard of services.~~

9 ~~d. The power of the public employer to levy taxes and~~
10 ~~appropriate funds for the conduct of its operations.~~

11 Sec. 4. APPLICABILITY. The sections of this Act amending
12 sections 20.7 and 20.9 apply to collective bargaining
13 agreements entered into on or after the effective date of this
14 Act.

15 EXPLANATION

16 This bill grants a public employer the right to require a
17 public employee to pay up to 30 percent of the cost of a health
18 insurance plan established pursuant to Code chapter 509A which
19 the public employer provides for the public employee and other
20 persons covered through the public employee.

21 The bill removes charges for health insurance plans
22 established pursuant to Code chapter 509A from the scope
23 of negotiations for public employee collective bargaining
24 agreements.

25 The bill provides that these provisions are applicable to
26 collective bargaining agreements entered into on or after the
27 effective date of the bill.

28 Current law sets out certain factors which an arbitrator
29 of a public employee collective bargaining agreement must
30 consider. The bill requires an arbitrator to first determine
31 the ability of the particular public employer to finance final
32 offers on each of the impasse items. The bill sets out factors
33 which an arbitrator must consider in making the determination.
34 The factors are the interests and welfare of the public, the
35 ability of the public employer to finance economic adjustments

1 without raising taxes, the effect of such adjustments
2 on the normal standard of services, and the power of the
3 public employer to appropriate funds for the conduct of its
4 operations. The bill prohibits an arbitrator from selecting a
5 final offer for which the arbitrator determines the particular
6 public employer would not be able to finance the cost. The
7 bill sets out additional factors which an arbitrator must
8 consider after the arbitrator has determined the ability of the
9 public employer to pay for the final offers on each impasse
10 item. The additional factors are past collective bargaining
11 contracts between the parties including the bargaining that
12 led up to such contracts and comparison of wages, hours, and
13 conditions of employment of the involved public employees with
14 those of other public and private employees within the midwest,
15 giving preference to comparisons within the state, doing
16 comparable work. The bill removes the power of the public
17 employer to levy taxes for the conduct of its operations from
18 the factors an arbitrator shall consider.